

TRULINCS 77941053 - PANTOLIANO, KATOSH - Unit: BRO-I-C

FROM: 77941053

TO:

SUBJECT: for appointment of new counsel....

DATE: 3/28/2011 6:54:15 PM

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAR 30 2011 ★

BROOKLYN OFFICE

HONORABLE STERLING JOHNSON JR.
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
225-CADMAN PLAZA EAST
BROOKLYN, N.Y. 11201

DATE: MARCH 28th., 2011

RE: United States v. Katosh Pantoliano, 10-cr-00068-(SJ);
(For Appointment of New Counsel)...

Dear Judge Johnson...,

At this time I would like to bring to the attention of the court, a grave concern pertaining to the ineffectiveness of the assistance of my appointed (CJA) counsel (Mr. Charles S. Hochbaum). Mr. Hochbaum has deprived me from raising serious Constitutional claims and violations involved and occurring in this case. Because of Mr. Hochbaum I have been deprived from :

raising Fourth, Fifth, Sixth and Fourteenth Amendment U.S. Constitutional claims and violations; by failing to file Motions to Suppress Physical Evidence, Motions for Bill of Particulars (for superseding indictment), Motions to Produce prior Statements (after direct testimony of witness in hearing), Motions to Dismiss (for BRADY and JENCKS Act violations, Prosecutorial and Agent Misconduct, and False Evidence being presented on a defective Arrest Warrant and to Federal Grand Jury), Motions for prejudice "Judge-Shopping" tactics by the Government (by Judge not being assigned randomly); failure to adopt to defendants pro-se Motions and Constitutional claims (which I have mailed numerous pro-se Motions, Letters and Objections that the court has just recently filed and docketed on my Docket Report); failure to arrange meetings with alleged co-conspirators and their attorney's; failure to subpoena cooperators phone calls from the GEO facility; failure to Object to Report and Recommendation (for denial of Severance Motion); failure to Object to the Governments Letters and Separation Orders; failure to obtain more funds and hours for a Private Investigator, and failure to have joint meetings with Private Investigator (to investigate Alibi and Innocence); failure to review materials, documents and discovery with me, and hiding materials from me and not allowing me to review my materials; failure to investigate my Alibi and Innocence; failure to file a Writ of Mandamus and Interlocutory Appeal (based on Questions of Law, Extraordinary and

Exceptional circumstances affecting Judicial Economy; failure to file Bail Application; failure to Appeal the denial of Bail Package; failure to communicate with me on developments in the case; mentioning different names and information that do not exist in my case (confusing my case with other cases); failure to negotiate a plea; constantly trying to convince me to cooperate with the government.

All of the above mentioned conflicts of interest between Mr. Hochbaum and myself deprives me of Liberty without Due Process of Law, thus violating the Fifth and Sixth Amendment of the U.S. Constitution. In addition, I have constantly been mailing to the court, Pro-se Motions, Letters, and Objections (which the court has just recently started to docket on my Docket Report) in regards to my Constitutional claims. Moreover, these serious conflicts with Mr.Hochbaum-together with the Governments unfair prejudice-tactics, hinders my pre-trial preparations, thus hampering my defense creating a fundamentally unfair process, and violating Due Process of Law.

WHEREFORE, I would greatly appreciate if you could please appoint me a new Attorney. Thank you for your-time once again.

RESPECTFULLY SUBMITTED BY,
DEFENDANT,KATOSH PANTOLIANO,77941-053
MDC-BKLYN, P.O. BOX 320002
BROOKLYN, N.Y. 11232

C.C...FILE:

AUSA-Ali Kazemi (by mail)...
Clerk of U.S. District Court (by mail)...
Mr. Charles S. Hochbaum,Esq.(TRULINCS-INMATE EMAIL SYSTEM)....